



Homecheck Professional Environmental Report

User Guide

www.homecheckpro.co.uk

0844 844 9966

05/11/2012

User Guide

Table of Contents

| | |
|---|----------|
| Introduction - About this Guide | 3 |
| Why should I get a Homecheck Professional Environmental Report? | 3 |
| When should I get a Homecheck Professional Environmental Report? | 4 |
| How do I get a Homecheck Professional Environmental Report? | 5 |
| What is my Homecheck Professional Environmental Report telling me? | 5 |
| How do I proceed now? | 9 |

Appendix

| | |
|--|-----------|
| Appendix 1: Specific issues in relation to the report | 11 |
| Appendix 2: Potentially Contaminative Past Industrial Land Use Categories | 20 |
| Appendix 3: Data sets used in the Homecheck Professional Environmental Report | 22 |
| Appendix 4: The Search Code | 29 |

1. Introduction – About this Guide

- 1.1 This Guide has been prepared by Landmark Information Group to assist busy conveyancing practitioners to decide:
 - Whether to obtain a Homecheck Professional Environmental Report on behalf of their clients.
 - What that search reveals.
 - What steps they should take next, in the best interests of their clients.
- 1.2 The Guide is not intended to usurp the role of the professional advisor, who is uniquely placed to view the whole transaction in consultation with the client, but it is intended to inform that discussion and provide guidance to the advisor in that situation on how to progress the matter speedily, efficiently and cost-effectively.
- 1.3 It is intended that this Guide is regularly updated to keep pace with the rapid changes to the conveyancing process and to reflect the role which accurate and dependable environmental information plays in that process. Copies of this Guide are available free of charge from www.homecheckpro.co.uk. Alternatively call the Homecheck Professional Environmental Report helpline on 0844 844 9966 or email helpdesk@landmark.co.uk.
- 1.4 For further information on any of the topics raised in this Guide the practitioner is referred to any of the available textbooks on the subject, such as:
 - The Law Society's Conveyancing Handbook, Law Society Publications.
 - The Law Society's Environmental Law Handbook, Law Society Publications.
 - Environmental Law in Property Transactions, Butterworths.
 - Guide to Contaminated Land, Blackstones.

2. Why should I get a Homecheck Professional Environmental Report?

- 2.1 A commonly held misconception is that conveyancing transactions have been carried out for decades without any serious environmental problems arising. Practitioners now need to be concerned about the environmental issues underpinning a property purchase.
- 2.2 There have been a number of instances where serious problems have arisen and it will have been apparent to most practitioners, at least since the introduction in 2000/2001 of the Contaminated Land regime in Part 2A of the Environmental Protection Act 1990, that there are environmental issues in mainland Great Britain that have been largely ignored until now, but which present real risks to purchasers of the affected property.
- 2.3 In the light of growing public concern about such issues, the Law Society, on 13 June 2001, published in the Law Society's Gazette and distributed to the legal profession generally, a Guidance Note on contamination issues in property transactions. This Guidance points out the risks referred to in this Guide and offers some suggestions to practitioners as to how they may go about serving the client's needs in this area, and lessening the risk of being found negligent.

2.4 Whilst contaminated land is perhaps the most obvious risk to contemplate, it is by no means the only one. For example, if contaminants are present, but the land is not “contaminated” within the technical meaning of the word, enjoyment, saleability and value can still be affected. There may be significant restrictions on the usability of the property, not to mention concerns relating to flooding, subsidence and other risks not directly attributable to contamination as such.

2.5 The main risks are that:

- A financial liability to clean up the polluted site may fall upon the current owner of the land.
- The property itself may be structurally unsound, hazardous to health, dangerous or otherwise uninhabitable.
- The value and/or the use of the property may be adversely affected by some problem.

2.6 Whilst it is by no means yet settled that it would be negligent of a professional advisor to fail to mention these risks to a conveyancing client, the issues have been aired by professional journals, publications, press, media coverage and public debate for several years now. There is such a clear body of collective wisdom available on the subject, and public awareness of the issues, that a Court may now take the view that such issues should be raised by professional advisors as a matter of course, even in routine transactions.

2.7 In the view of the buying public, it is the solicitor, licensed conveyancer or the co-ordinator of the transaction who is expected to raise and deal with these issues, rather than the surveyor, estate agent or mortgage lender. However, in dealing with the issues, the practitioner is able to draw on the expertise of an Environmental Consultant who is uniquely qualified to comment on environmental risk. Should independent full site investigations then need to be made the practitioner is able to engage the services of a suitably qualified professional.

2.8 Step 4 of the Law Society Guidance advises independent site history investigations by obtaining a site report from a commercial company. Obtaining a Homecheck Professional Environmental Report will give the practitioner as much information as is currently economically available, in an accurate and dependable form, on which to base the discussions and advice to their client.

2.9 Furthermore, the Homecheck Professional Environmental Report removes the burden of interpretation of the information disclosed in respect of contaminated land by incorporating a risk assessment that includes a certificate covering the risk of the property being classed as contaminated within the meaning of the current legislation.

3. When should I get a Homecheck Professional Environmental Report?

3.1 A Homecheck Professional Environmental Report should be obtained in connection with any dealing or valuation to do with domestic property, including purchase, mortgage, or further advance, or before any domestic building work, such as self-build or an extension, is undertaken. The report should be obtained before exchange of contracts or any other form of binding obligation.

3.2 The Homecheck Professional Environmental Report is intended for individual domestic properties only. If significant development of the property is intended, or if the practitioner is acting in a commercial transaction, a more detailed site specific search can be obtained from Sitescope, or from Sitescope's resellers or agents.

4. How do I get a Homecheck Professional Environmental Report?

4.1 A Homecheck Professional Environmental Report can be ordered by using one of our order forms or alternatively via our website at www.homecheckpro.co.uk.

To obtain an order form or register for an account to order online please contact:

Landmark Information Group Limited

Legal & Financial

Imperium

Imperium Way

Reading

Berkshire

RG2 0TD

Telephone: 0844 844 9966

Fax: 0844 844 9980

DX: 154400 Reading 33

E-mail: helpdesk@landmark.co.uk

Internet: www.homecheckpro.co.uk

4.2 A separate search should be made for each individual property having a different postal address.

4.3 Order forms should be completed by including:

The full postal address and postcode of the property.

The name and Document Exchange (DX) number (if applicable) of the practitioner.

The practitioner's file reference and telephone number.

A plan of the property (see paragraph 4.4 below).

4.4 If you are using an order form it is requested that a plan showing the location of the property is enclosed with your order. If a plan is not supplied there may be difficulties in identifying the location of the property and this may introduce a delay.

4.5 In normal circumstances a Homecheck Professional Environmental Report will be despatched to the practitioner within 24 to 48 hours of the receipt of the order.

4.6 The Homecheck Professional Environmental Report is also available electronically, normally within 24 hours.

5. What is my Homecheck Professional Environmental Report telling me?

- The report will include information from a number of statutory and non-statutory sources, and site history as determined by an analysis of historical Ordnance Survey maps dating from the 1850's. The report provides a professional opinion on the likelihood of the property being described as "contaminated land" as defined by section 78(A)2 of Part 2A of the Environmental Protection Act 1990. The report also gives contact details of the organisations where further information may be obtained.

5.2 Sitescope has agreements for the supply or collection of data with a number of national data providers. Notably, Sitescope is a Licensed Partner of Ordnance Survey and a Value Added Reseller for the Environment Agency, the Coal Authority and British Geological Survey. The currency of the datasets used is determined by the frequency of updates by the data providers under their respective agreements with Sitescope.

5.3 Any person relying on a Homecheck Professional Environmental Report must comply with the attached Terms and Conditions.

5.4 The replies in the Homecheck Professional Environmental Report will be given in the belief that they accord with the data sets and update cycles listed in Appendix 3, but on the understanding that Sitescope is not legally responsible for them except as detailed in the Terms and Conditions, which may vary from time to time. You should also note the following:

This report incorporates flood, data and information in relation to flood risk ("Information") licensed by Jeremy Benn Associates Ltd. (JBA) to Landmark Information Group Ltd ("Landmark"). JBA is not engaged in the insurance, real estate, finance or related industries. The Information provided is not intended to constitute professional advice or an endorsement by JBA of any kind regarding the use and suitability of the Information.

The Information is being provided "as is", without any warranty of any kind. JBA disclaims all representations and warranties, express or implied, including but not limited to implied warranties of merchantability, non-infringement and fitness for a particular purpose, or any warranties as to the accuracy, completeness, reliability or certainty of the Information. You rely on the information solely at your own risk.

JBA specifically disclaims any and all obligations and liability with respect to any decisions or advice made or given as a result of the Information. In no event shall JBA (or its parent, subsidiary or other affiliated companies) be liable for any direct, indirect, special, incidental or consequential damages (including loss of profits, loss of business and loss of interruption of business), suffered by you, a counterparty or any third party, arising out of (1) any use of or reliance upon this Information; (2) any decisions or advice made or given as a result of the contents of the Information or use thereof; or (3) any errors, omissions or inaccuracies in the Information.

5.5 Sitescope is constantly working with data providers to improve the data sets and the information available to Sitescope may change. Accordingly, there is no protection period relating to a Homecheck Professional Environmental Report and practitioners should not attempt to rely on a previous report. Practitioners who rely on a previous report will not have the benefit of Sitescope's Professional Indemnity Insurance cover.

5.6 Practitioners should note that addresses may have been compared to the Royal Mail Postal Address File standard and therefore may have been changed to comply with this standard.

5.7 The report is split into a summary section, which gives basic information in an easy to understand question and answer format, and an additional information section which gives further details if records are revealed.

5.8 The report also benefits from an aerial photo giving a view of the property and the immediate vicinity out to the 250 metre search buffer.

5.9 The practitioner should normally be able to easily verify that the report has been correctly located on the subject property using the Site Location map. In the event of any doubt as to the correct location the practitioner should raise this immediately with the agent.

Enquiries and Replies

5.10 The Homecheck Professional Environmental Report will be based on the information listed in Appendix 3 to this Guide. The practitioners' attention is drawn to the update cycles for this information.

5.11 Section A of the report contains Enquiries of Statutory Registers. The enquiries respond separately to land within 0 - 250 metres and 251 - 500 metres from the centre of the search. Each different heading contains a location map in the Additional Information section, if records are revealed.

These answers are drawn from the statutory registers held by the Environment Agency, the Health and Safety Executive (HSE), the British Geological Survey (BGS) and Local Authorities using the following records:

Registered Landfill sites (the Environment Agency).

Recorded Landfill sites prior to 1974 (BGS).

Historical Landfill sites (the Environment Agency).

Licensed Waste Management Facilities (Landfill) (the Environment Agency).

Local Authority Recorded Landfill Sites prior to 1974 (the relevant local authority)

Registered Waste transfer, treatment or disposal sites (the Environment Agency).

Licensed Discharges to Controlled Waters (the Environment Agency).

Registered or authorised keeping or disposal of radioactive substances (the Environment Agency).

Licensed industrial processes or discharges (the Environment Agency).

Sites permitted to release discharges into the air (Local Authority, the Environment Agency).

Sites authorised or subject to regulations concerning the keeping or handling of hazardous substances, explosives, dangerous substances, and sites constituting a major accident hazard (Local Authority and HSE).

Records of any enforcements, prohibitions, or prosecutions relating to contamination prosecutions relating to licensed processes or planning hazardous substances (Local Authority, the Environment Agency).

Contaminated Land Register Entries and Notices [Part 2A sites] (Local Authority, the Environment Agency).

5.12 Section B of the Report contains Enquiries Concerning Site History, and applies to land within 0 - 250 metres from the centre of the search.

The enquiries relate to the following:

Potentially contaminative industrial sites identified from current published trade directories.

Potentially contaminative industrial sites identified from analysis of 1:10,560 scale and selected 1:10,000 scale historical Ordnance Survey maps.

Areas of potentially infilled land identified from analysis of 1:10,560 scale and selected 1:10,000 scale historical Ordnance Survey maps.

Historical Tanks and Energy Facilities identified from analysis of 1:2,500 scale and 1:1,250 scale historical Ordnance Survey maps covering a period from 1943-1996.

The information provided in section B of the report relates to categories of potentially contaminative land uses that have been identified by the analysis of selected Ordnance Survey historical mapping.

5.13 Section C of the Report contains Enquiries concerning Mining and Radon relating to the following:

- Areas affected by coal mining (Coal Authority).
- Radon Affected Areas (Health Protection Agency (HPA) & BGS).
- Radon Protective Measures for new dwellings or extensions (HPA & BGS).

5.14 Section D of the Report contains Enquiries Concerning Natural Perils relating to the following:

- The potential for the search area to be affected by river, surface water and tidal flooding, not taking flood defences into account. (JBA)
- The replies given on areas of potential river, surface water and tidal flooding are based on data from Jeremy Benn Associates Ltd. Modelling of 1 in 75, 1 in 200 and 1 in 1000 year risk is used to arrive at a "Yes" or "No" answer to questions D.1.1, D.1.2 and D.1.3 based on the worst case. An answer of "No data available" indicates an area where there is no data coverage.
- Flood information is not mapped.

6. How do I proceed now?

6.1 The Homecheck Professional Environmental Report constitutes what is known as a "desk-study", occasionally known as a "screening report", which is an information gathering source. The information revealed in the search report is a starting point for further investigation. It cannot give definitive answers to what problems actually affect individual properties.

Specifically in relation to the risk of contaminated land every Homecheck Professional Environmental Report contains a risk assessment including the professional opinion of a Environmental Consultant to assist the practitioner in this decision making process.

6.2 In accordance with the Law Society Guidance, the practitioner will now need to discuss the implications of the information provided with the client and others involved in the purchase transaction, including lenders and other professionals, to decide how best to proceed.

6.3 Essentially, the Report will show either:

- No identifiable problem (Certificate issued).
- Further investigation may be necessary (Certificate Refused).

6.4 **No identifiable problem (Certificate issued).**

- 6.4.1 In many cases the search will reveal no entries of any concern whatsoever and the practitioner can advise the client to proceed, safe in the knowledge that the information is as accurate and reliable as modern mapping and information techniques can make it. Keeping the search with the file or deeds will assist if future reference needs to be made in relation to the information disclosed. In these circumstances, Council of Mortgage Lenders' advice would be that it is not necessary to alert the lender to the existence or contents of the report.
- 6.4.2 Such a report may receive the benefit of a professionally prepared certificate indicating that there is no likelihood that the site would be declared contaminated within the meaning of Part 2A of the Environmental Protection Act 1990. It is important to note that this professional assessment is based on information disclosed in sections A and B of the associated Homecheck Professional Environmental Report and does not extend to information contained in other sections of the report, for example radon and flooding. Factors disclosed that are outside of the scope of the Certificate are included at the foot of the certificate page for consideration by the client and practitioner.
- 6.4.3 Factors not covered by the certificate may still be of some concern to a purchaser client, for example flooding. The practitioner should discuss these issues with the client to decide how to proceed, if necessary following consultation with other professionals to ascertain the degree of risk posed by a revealed entry.

6.5 **Further investigation may be necessary (Certificate Refused).**

- 6.5.1 Certain entries always carry an inherent degree of risk with them and certain types of land use have particular contaminating characteristics. For example, infilled land may be structurally unstable, landfill sites may give rise to methane gas generation, old gasworks may have contaminated the land with tars and other chemicals and petrol stations may have leaking underground storage tanks.

The nearer to the site the identified entry, then the greater the risk that some problem may occur on the site in question.
- 6.5.2 Such a report is referred free of charge to an environmental consultant for a more detailed consideration of the risks posed by the revealed entries.
- 6.5.3 After referral the report may still receive a certificate to the effect that there is no likelihood that the site would be declared contaminated within the meaning of Part 2A of the Environmental Protection Act 1990.
- 6.5.4 It may however, not be passed, in which case the environmental consultant will highlight the main concerns and suggest some further action that could be taken to allay a client's fears about proceeding.

6.5.5 It is important to appreciate that where a report has been referred and thereafter does not receive a certificate, it does not necessarily mean that there is a problem with the land, merely that there may be, and that this possibility may require further investigation. The practitioner or client may undertake this further investigation themselves and present information to the environmental consultant for further review without additional charge. Alternatively the environmental consultant can undertake the necessary further investigation for an additional fee.

6.5.6 The decision whether to proceed, undertake further investigations or withdraw must be the client's, and it will frequently depend on factors unrelated to the environmental information revealed by the search. Factors such as the cost of the further investigations, the difficulty or delay involved in undertaking them, the accuracy and helpfulness of the further information revealed, the general time scale of the transaction and the client's attitude to risk will all influence the decision.

6.6 Often, the next step after obtaining a Homecheck Professional Environmental Report is simply to acquire further information (especially as it is usually easily obtainable from an obvious source), rather than to consider a site inspection at additional cost.

6.7 Obvious next steps could be:

In relation to further information contact the relevant agency or local authority using the Contacts section of the report. The local authority may have inspected the revealed matter as part of its duties under Part 2A of the Environmental Protection Act 1990. It may also have records of the steps taken by a developer to make the land safe, which would avoid in most cases the need for a site investigation.

Structural concerns, contact a structural surveyor or engineer.

Contamination concerns, contact an environmental consultant.

Valuation concerns, if any still remain, contact a suitably qualified specialist surveyor or valuer.

Negotiating appropriate price adjustments, in addition to, or instead of, the above.

It cannot be over-emphasised that until the actual extent of a potential problem is investigated and revealed, a practitioner cannot fully advise on its implications, and the Homecheck Professional Environmental Report is only designed to provide the information to enable practitioners to identify the next questions.

Equally, the perception of risk is almost invariably worse than the reality, so a practitioner may feel that in the majority of cases the client would be safe in proceeding without further investigation; on the other hand an investigation may put the client's mind at rest.

6.8 Practitioners should develop a range of professional contacts to call on quickly should the client wish to proceed with further investigations. Not knowing where to turn for assistance would cause delay.

6.9 If the subject property is to be charged as security for a loan, the lender should be contacted in any case where entries are revealed, indicating whether the property has been passed, referred or whether a Certificate has been refused. Practitioners should inform the lender what further steps are being taken by the borrower and ask the lender what, if any, further enquiries the lender requires.

6.10 The report should be kept with the title deeds, along with other important documentation.

Appendix 1: Specific issues in relation to the report

Section A - Enquiries of Statutory Registers

A.1.1, A.1.2 and A.1.3 - Landfill

The landfill information in the Homecheck Professional Environmental Report comes from five sources:

- Records collated by Landmark sourced from individual Local Authorities that were able to provide information on sites operating prior to the Control of Pollution Act 1974 (COPA). Landfill is shown as both points and boundaries.
- Sitescope's own database containing over 13,000 open or closed landfill sites collected from the public registers. Landfill is shown as both points and boundaries.
- Records from the British Geological Survey showing over 3,000 old landfill sites which were operating at the time of the Control of Pollution Act 1974 (COPA), and would therefore not have been subject to any strict regulation or monitoring. Landfill is shown as both points and boundaries.
- Latest information from the Environment Agency showing the boundaries or point locations of over 15,000 licensed waste sites in England and Wales.
- Historical Landfill sites from the Environment Agency including closed landfill sites where there is no PPC permit or waste management licence in force, sites where the licence has been revoked, ceased to exist or surrendered and a certificate of completion has been issued, and sites that existed before the waste management licencing regime.

General Information

Landfill is well established as the main disposal method for Great Britain's waste. Up to 90% of all domestic waste takes this route and it is estimated that there are currently over 13,000 landfill sites in Great Britain.

There are three main categories of landfill sites; those accepting domestic, industrial and commercial wastes, those accepting hazardous waste and those accepting inert waste for example, brick, rubble or soil. All three present a potential risk to residential properties.

The main risk presented by landfills is from the methane gas created by the microbiological decomposition of biodegradable materials. Methane gas is highly flammable and can become explosive if it accumulates in a confined space. Other landfill emissions also include traces of heavy metals and complex organic compounds such as dioxins. There is concern that people living near certain landfill sites could be at risk from serious illnesses.

The practitioner should be aware that landfill could affect the homeowner in six ways:

- Presence of harmful substances.
- Combustibility of materials used to fill the landfill.
- Chemical attack on building materials.
- Emission of flammable, toxic, asphyxiant or corrosive gases.
- Problems with ground stability.
- Problems associated with odour and water drainage.

If a landfill site is identified the report will disclose the licence details. For further information on a particular site please contact the relevant environment agency or local authority referenced in the Useful Contacts section of the report.

Specific Information

Section A.1.1. Local Authority Landfill Sites

The records in this section have been collated by Landmark and are sourced from individual Local Authorities that were able to provide information on sites operating prior to the Control of Pollution Act 1974 (COPA).

On the section map these records are shown as a red square or a red hatched polygon.

Appropriate authorities are listed in the report summary with an indication of whether or not they were able to make landfill data available. Details of any records identified are disclosed under the additional information. You should note the following:

- a) If the response in the summary advises that the local authority 'Had landfill data but passed it to the relevant environment agency' it does not necessarily mean that landfill data from this local authority will be included in section A.1.2 of the report.
- b) If no data has been made available, for all or part of the search area, you should be aware that a negative response in section A.1.1. does not necessarily confirm that no local authority landfills exist.

Section A.1.2. Landfill Sites

The records in this section are obtained from three separate data sets:

- Sitescope's own database containing over 13,000 open or closed landfill sites collected from the public registers.

In the case of this data set, where no boundary is available, approximate positions of the sites have been supplied using a grid reference point. At present no complete national data set exists for landfill site boundaries, therefore, a point grid reference, provided by the data supplier, is used for some landfill sites. In certain cases the point grid references supplied provides only an approximate position, and can vary from the site entrance to the centre of the site.

Where the exact position of the site is unclear, Sitescope construct either a 100 metre or 250 metre "buffer" around the point to warn of the possible presence of landfill. The size of this 'buffer' relates to the positional accuracy that can be attributed to the point grid reference of the site.

On the section map, registered landfills are shown as a green square or a green hatched polygon. "Buffers" are shown as a blue hatched circle.

- Records from the British Geological Survey showing over 3,000 old landfill sites which were operating at the time of the Control of Pollution Act (COPA) 1974, and would therefore not have been subject to any strict regulation or monitoring.

Most BGS landfill sites have boundaries which are shown as an orange hatched polygon on the section map. Where no boundary is available these sites are shown as an orange triangle.

- Latest information from the Environment Agency showing the boundaries or point locations of over 2,500 current licensed landfill sites in England and Wales.

Records of licensed waste management facilities (landfill) cover consents issued for active landfill sites by the Environment Agency under Section 64 of the Environmental Protection Act 1990 (Part 2) and prescribed by Regulation 10 of SI No.1056 of the Waste Management Licensing Regulations 1994. These landfill sites are shown on the section map as either a red hatched polygon or a red circle. Where a landfill site is duplicated in one or more of these datasets a "buffer," landfill boundary or point location for the same site may not be coincidental on the section map.

Section A.1.3. Historical Landfill Sites

- This section comprises of records from the Environment Agency representing historic (closed) landfill sites where there is no PPC permit or waste management licence in force, sites where the licence has been revoked, ceased to exist or surrendered and a certificate of completion has been issued, and sites that existed before the waste management licencing regime.

A.2 and A.3 - Waste Transfer, Treatment or Disposal

In addition to landfill two other types of waste disposal facility that practitioners should pay particular attention to are metal recycling sites and incinerators. These sites can be significant, particularly if they have handled radioactive and toxic wastes.

Incinerators may affect surrounding air quality through release of emissions from the chimney, and once closed, incinerators have specific contaminants such as ash and waste water, which should be properly removed or rendered harmless.

Waste transfer and treatment stations, although usually posing a lower risk than landfills, incinerators or metal recycling sites, can also be significant. The level of risk to the homeowner will usually depend on how well the site is/was managed but there is increasing concern that waste storage sites may pose a health hazard to those living near them.

- The practitioner should be aware of the following risks associated with waste processes:
- Spillage of 'difficult waste' on site such as petrol, oil and paint.
- Build-up of some wastes in drains.
- Chemicals being washed off site by rainwater and affecting surrounding land.
- Noise and dust.

If a licence for a waste transfer, treatment or disposal site has been identified the Report will disclose the licence details. For further information on a particular site please contact the relevant agency referenced in the Contacts section of the report.

A.4 - Integrated Pollution Control (IPC) Regulations

There are thousands of industrial processes in Britain with permits to release pollutants to the air, ground and water. Around 2,000 factory sites can be categorised as major industrial processes, such as power stations, incinerators, chemical manufacturers and cement producers while some 12,000 can be classified as smaller industrial processes. Many sites releasing discharges are maintained under the concept of Integrated Pollution Prevention and Control. Discharges from these sites can be to air, land or water and include gases, contaminated cooling water and spoil. For example, a paper mill may release polychlorinated biphenyls (chemicals sometimes used in the treatment of timber), dioxins and chlorine compounds to land and toxic gases such as formaldehyde to the air. If a licence for an industrial process has been identified, the Report will disclose the type of licence.

A.5 - Radioactive Substances

The keeping, use, accumulation and disposal of radioactive substances in Great Britain is regulated by the Radioactive Substances Act 1993 (RSA1993). The main purpose of this Act is to provide radiation protection to members of the public.

If managed correctly and regulations are not breached, most RSA sites should pose a low risk.

Radioactive licences fall into four Consent Bands:

- RAS 1 Large nuclear installations that both store and re-process nuclear fuels on-site
e.g. Sellafield.
- RAS 2 Large nuclear installations that both store and process nuclear fuels on-site
e.g. nuclear power stations.
- RAS 3 Registered sites that are authorised to accumulate and dispose of radioactive materials. Only non-nuclear operations are carried out on site e.g. hospitals.
- RAS 4 Registered sites that keep and use radioactive material e.g. mobile laboratories, universities for use in monitoring appliances, alarm systems, tritium lighting and industrial plants. Only non-nuclear operations are carried out on site.

Only band 1 and 2 consents are included in the Homecheck Professional Environmental Report.

If a licence for a radioactive substance has been identified, the report will disclose the licence details. Use the Contacts section should further enquiries need to be made.

A.6, A.7 and A.8 - Hazardous Substances, Dangerous Substances and Control of Major Accident Hazards

Storage of Hazardous Substances relates to the granting of consents under the Planning Hazardous Substances Act 1990 in England and Wales and the Planning Hazardous Substances Act 1997 in Scotland. Hazardous Substance Consents are designed to ensure that hazardous substances can be kept or used in significant quantities, only after the responsible authorities have had the opportunity to assess the risk to surrounding areas.

Sites that may hold a Hazardous Substance Consent range from small industrial premises to large chemical works. For example, ICI Chlor-Chemicals in Runcorn, Cheshire stores large quantities of chlorinated paraffins. Chlorinated paraffins are highly toxic and easily distributed to air, water and soil.

The Government has recently signed an agreement to phase out emissions and discharges of such hazardous substances by 2020. If stored and used correctly then hazardous substances listed under the Acts should not pose a risk to homebuyers.

The Notification of Installations Handling Hazardous Substances (NIHHS) Regulations 1982 specify dangerous substances and the quantities of these substances that trigger obligations to notify the Health and Safety Executive of their use. The NIHHS Regulations require emergency plans to be kept up to date and regularly tested.

Under the Control of Major Accident Hazards (COMAH) Regulations 1999, sites storing above specified amounts of hazardous substances and those carrying out particularly toxic or hazardous activities must provide information to the public on the nature of the hazard and action to be taken in the event of an accident. The regulations mainly apply to chemical and petrochemical industries and to those that produce or use substances with flammable, toxic or explosive properties.

The Explosives Act 1875 and 1923 controls the registration, storage and supply of various categories of explosive substances to ensure public safety and security. For example, the legislation would control the storage of high explosives in a magazine. All premises where explosives are stored must be registered. By far the largest proportion of such premises are used for the storage of fireworks.

Homebuyers will wish to know if such substances are being stored close to the home and if they are being managed effectively. If such a use has been identified, the Report will disclose the type of site, and the Contacts section can be used if any further enquiries need to be made.

A.9 - Emissions to Air

If operated according to regulations any emissions to the air should present a low risk to health. However, where sites are not operated correctly such emissions can pose increased risks to health.

Air pollution has been linked to respiratory diseases such as asthma and a recent study at the University of Birmingham indicates that early exposure to toxic pollutants, even in the womb, can be a serious health risk. Children and elderly people are most at risk.

If a licence for a discharge to air has been identified, the report will disclose the licence details. Use the Contacts section should further enquiries need to be made.

A.10 - Discharges to Water

The most toxic substances are controlled by 'Water Industry Act Referrals'. The list of substances is given in the Environmental Protection (Prescribed Processes and Substances) Regulations 1991 and consists of substances considered to be so toxic that priority should be given to eliminating pollution by them.

Other discharge consents are granted with conditions set by the Environment Agency under Section 84 (1) of the Water Resources Act 1991. In considering whether or not to grant consents the Environment Agency has to take into account: whether statutory water quality objectives will be met, likely deterioration in water quality downstream and possible effects on other water uses downstream. Conditions are attached to consents in order to minimise affects. Such conditions may be related to discharge quantity, steps to minimise affects of pollution, sampling facilities and requiring records to be maintained. Other discharge consents could include storm tank discharges or septic tanks.

A.11 - Contaminated Land Register Entries and Notices (Part 2A Sites)

This section includes details of any “contaminated land” within the meaning of Part 2A of the Environmental Protection Act 1990 that has been identified within the search area. These will be categorised as:

- Sites identified as contaminated.
- Sites identified as Special Sites.
- Sites identified as contaminated but now remediated.

A.12 - Contraventions

This section includes details of any enforcements, prohibitions or prosecutions relating to section A or any substantiated pollution incidents.

Section B - Enquiries Concerning Site History

B.1- Past Industrial Land Use

The information given in this section relates to potentially contaminative land uses that have been identified by the analysis of Ordnance Survey historical mapping. (See Appendix 2).

The Homecheck Professional Environmental Report uses Landmark's site history information, which is drawn from a series of up to six historical map editions, identifying features within 250 metres of the centre of the search area. The first of these Ordnance Survey maps, with a source scale of 1:10,560, will be the earliest County Series map of the site and is likely to date from between 1850 and 1890. The subsequent maps follow at approximately 30-year intervals.

Landmark are unique in having completed this analysis for the whole of mainland Great Britain. The data that Landmark have collected is also unique in that it is site specific point, line and polygon data which is accurately geo-referenced to the Ordnance Survey National Grid.

Landmark's analysis has identified approximately 400,000 sites in Britain which were formerly used for industrial purposes and a further 275,000 sites which may have been infilled. It is difficult to assess the risk from specific past land uses and some sites may have had multiple uses. It is possible for a consultant to make a good general risk assessment.

If potentially contaminative past land uses have been identified, the report will disclose the type of land use, the published date (range of dates) of the map(s), together with the distance and direction from the centre of search to the nearest point of the feature.

These past land uses, or site history, are shown on the section map. Large sites (i.e. in excess of 100 metres in any direction) are shown as a site polygon. Smaller sites (i.e. less than 100 metres in any direction) are shown as single points.

The category 'Works Unspecified' has been used for any building shown on the historical mapping which has symbology relating to industrial use or the text 'Works' on the map. No further information is available from the mapping. Further information may be sourced from cross-referencing the area with historical trade directories at your local library.

Uniquely, the First Edition (c.1850 – 1890) OS County Series 1:10,560 maps for Great Britain can also be viewed free of charge and copies of these and subsequent editions can be purchased on Landmark's website, www.old-maps.co.uk

Potentially Infilled Land

Potentially Infilled Land was identified when a 'cavity' (a hole made by an extractive industry or natural occurrence e.g. pond) was indicated on an historic map but there was no evidence of its existence in the last available map for the area. No details of what may have been used to fill the cavity or exactly when or if it was filled are available from the mapping.

Materials used to fill quarries, pits and ponds have never been catalogued and so in most cases the type of infill used is not known. Most infilled sites must therefore be regarded as potentially contaminated, especially if a site lies on or close to a source of contaminative material for example a mine or a factory.

The stability of infilled land is questionable and research has found several cases where residential properties have been affected by subsidence because of previous quarrying or similar mining activity. Although many will not pose a significant risk to homebuyers, some past uses may have left toxic, carcinogenic (cancer causing) or deleterious (asbestos containing) substances.

If potentially infilled land has been identified, the report will disclose the type of land use and the date of mapping.

Historical Tanks and Energy Facilities

The information in this data set relates to the location of Historical Tanks and Energy Facilities identified from Ordnance Survey historical mapping. These have been captured as point locations from a variety of large scale mapping based upon a predetermined list of text. The features themselves are related to energy and petroleum storage.

The types of text found on the maps have been categorised into 9 types of information relating to tanks and energy and fuel use. These types are Tanks, Potential Tanks, Petroleum Storage Facilities, Oil Industry Facilities, Gas Industry Facilities, Gas Monitoring Facilities, Electricity Industry Facilities, Electrical Sub Station Facilities, Miscellaneous Power Facilities.

NB: It should be noted that as the Ordnance Survey abbreviation for tank (tk) is the same as that for track it is possible that some of these points may have been captured when the feature is undetermined by symbology.

The position of the point has been located at the centre of the identified feature text to ensure that the point would be within approx 30 metres of the feature it was describing.

The analysis has identified over 390,000 features in Britain. If Historical Tanks and Energy Facilities have been identified the report will disclose the published date (range of dates) of the map(s) and the distance from the centre of search to the point of the feature. These Historical Tanks and Energy Facilities are shown on the section map.

B.2- Current Industrial Land Use

Contemporary trade directories can highlight potentially contaminative land uses. These are sites where current (or past) industrial uses may pose a risk to the homebuyer. The information given will cover a large range of local businesses including for example petrol stations, garages, workshops, dry cleaners, laundries, factories, laboratories etc. Additional land uses of this type may also appear on the location and information maps included with the Homecheck Professional Environmental Report.

Petrol stations for example are common in residential areas and pose a particularly high risk to homeowners. The London Fire Service has recently estimated that up to 70% of existing underground storage tanks may be leaking. In one case in Galway, petrol was found to migrate up to 300 metres from a filling station and caused severe damage to three residential properties. There are over 16,000 operating petrol stations in Great Britain and many other industrial premises that have licences to store petroleum.

The Environment Agency or your Local Authority may hold details of current potentially contaminative activities. Further information on petrol and fuel sites can be obtained from the Petroleum Licensing Officer at your Local Authority. Information held by them may include details of storage tank numbers, sizes, dates of testing and details of any past leaks or problems.

If nearby industrial sites have been identified, the report will disclose the details of the site.

Section C - Enquiries Concerning Mining and Radon

C.1 - Coal Mining Areas

These replies are intended to help the practitioner decide if a coal mining search is required. Many areas are affected by past, present or future surface or underground coal mining activities. Coal mining is a potentially contaminative land use. In a coal mining area there may be the risk of subsidence and the danger of collapse from old mine workings. There may also be the risk of emissions of mine gas and discharges of contaminated mine water. The Law Society produces a directory of the cities, towns and villages in Great Britain that may be affected by mining activity.

The replies given on whether or not the property being searched is in a coal mining area are based on map data from the Coal Authority. This data is made up of 1km areas, which may be affected by past, current or proposed underground or surface coal mining activity.

Every Homecheck Professional Environmental Report is located accurately on the subject property. Because we compare this accurate location with the Coal Authority map data the Homecheck Professional Environmental Report can reliably determine if a coal mining search is required.

If the property is identified as being within a coal mining area it is advisable to obtain a coal mining Report. Contact the Coal Authority using the Contacts section in the report.

C.2 - Radon Affected Areas

The replies given on radon affected areas are based on Radon Potential data from the British Geological Survey (BGS) and the Health Protection Agency (HPA). This data indicates the probability of radon occurring in the property being searched.

These replies are intended to help the homebuyer decide whether a radon assessment from the HPA might be required for an existing dwelling. The estimate is based on an analysis of radon measurements in dwellings within the affected area.

A 'Radon Affected Area' is defined as where it is estimated that the radon concentration in 1% or more of homes exceeds the 'Action Level'.

The reply indicates the type of action normally required for each level of risk.

C.3 - Radon Protection Measures

The replies given on level of radon protective measures are based on Radon Potential data from the British Geological Survey (BGS) and the Health Protection Agency (HPA).

Radon protective measures have been required to be installed for new dwellings or extensions to existing dwellings since 1999. The need for protective measures is based on estimates by both the HPA and BGS on the basis of a combined analysis of geological and HPA measurement data.

It should be noted that in the case of new dwellings or extensions to existing ones, areas where radon protection is required are those where it is estimated that the radon concentration in 3% or more of homes exceeds the 'Action Level'.

Section D - Enquiries Concerning Natural Perils

D.1- Flooding

The replies given on areas of potential river, surface water and tidal flooding are based on data from Jeremy Benn Associates Ltd. which models 1 in 75, 1 in 200 and 1 in 1000 year risk.

If potential flooding is identified as a concern it is recommended that further investigation is undertaken to obtain more detailed information, such as that contained in the Homecheck Flood report.

Appendix 2: Potentially Contaminative Past Industrial Land Use Categories

The following Categories are used for the data extracted from Historical Ordnance Survey maps.

| Report Description | Remarks |
|--|--|
| Air shafts | Air shafts |
| Animal by-products (i.e. gelatine, soap, glue etc) | Animal by-products (i.e. animal parts) e.g. soaps, candles & bone works |
| Animal slaughtering & basic processing of meat (other than poultry) | Animal slaughtering & basic processing |
| Area liable to flood | Areas 'liable to flood' as indicated on the historical maps |
| Batteries, accumulators & primary cells [manufacture] | Batteries, accumulators, primary cells, electric motors, generators & transformers |
| Brewing & malting | Brewing & malting |
| Cement, lime & plaster products [manufacture] | Concrete, cement, lime & plaster products, also includes lime kilns |
| Cemetery or graveyard | Cemetery, modern burial grounds & graveyards |
| Chemical manufacturing general | Manufacture of cosmetics, manure, fertilisers & pesticides, detergents, oil, organic-based pharmaceuticals, glues, gelatines, recording tapes, photographic film |
| Clay bricks & tiles [manufacture] | Manufacture of clay bricks, breeze blocks & tiles, including associated activities e.g. brick fields, also solitary kilns (other than lime kilns) |
| Coal storage & depot | Coal storage/depot |
| Constructional steelwork, metal structures & products & building materials [manufacture] | Constructional steelwork, metal structures & products & building materials |
| Distribution, telecoms, medical, navigation, metering & lighting equipment [manufacture] | Manufacturing of distribution, telecoms, medical, navigation, metering & lighting |
| Disturbed ground | Disturbed ground greater than 200m in one dimension |
| Domestic appliances [manufacture] | Manufacturing of domestic appliances |
| Dyes & pigments [manufacture] | Dye & pigments |
| Electricity production & distribution (including large transformers) | Electricity generation & distribution, including large transfer stations |
| Factory or works — use not specified | Factory & works — use not specified |
| Food processing — major | Major food processing, includes dairies |
| Former marsh | Feature is only shown when land has subsequently been built on |
| Fuel: retail sale of automotive fuel | Sale of automotive fuel |
| Gas manufacture & distribution | Gas processing/manufacture & oil refining |
| General quarrying | Quarrying of all stone (including limestone, gypsum, chalk & slate) & ores, includes all open-cast mining & slant workings also slate/slab works, flint works, stone yards |
| Glass & glass products excluding flat glass [manufacture] | Flat glass & glass products manufacture |
| Heap, unknown constituents | Must be associated with relevant extraction industry including spoil & slag |
| Heavy product manufacture — rolling & drawing of iron, steel & ferroalloys | Heavy product manufacture, rolling & drawing of iron, steel & ferroalloys includes major tube works |
| Hospitals | All hospitals including sanatoriums but not lunatic asylums |
| Insulated wire & cable [manufacture] | Insulated wire & cable for electrical/telephonic purposes |
| Laundries & dry cleaning | Laundries & dry cleaning |
| Leather tanning & dressing | Tannery, leather goods & skinners |
| Machinery: engines, building & general industrial [manufacture] | Manufacturing of engines, building & general industrial machinery, including nuts & bolts, gas fittings, wire rope & ordnance accessories |
| Metal casting/foundries | Furnaces & metal processing/casting/forges/smelting including ferro & aluminum alloys, manganese works etc |
| Metals: treatment & coating including electroplating | Electro-plating, galvanising & anodizing |
| Military land | All military establishments including firing ranges (if not specified as civilian) |
| Mineral products non-metallic (including abrasives & asbestos) [miscellaneous manufacture] | Abrasives, asbestos etc |
| Mineral railway | Mineral railways |
| Mining & quarrying general | Areas of mining & single or groups of shafts other than coal & not specified including levels, or adits, etc |
| Mining of coal & lignite | Coal mining, the manufacturing of coke or charcoal included, are associated surface activities in area, also individual coal mine shafts |
| Motor vehicles: maintenance & repair e.g. Garages | Repair & sale of i) cars & bikes, ii) parts, iii) services |
| Natural & man-made textile manufacture & products | Natural & man-made textile manufacture & products including hemp rope |
| Office machinery & computers [manufacture] | Computers, office machinery, business/industrial electrical goods |
| Oil, petroleum, gas, refining & storage | Major oil & petrol storage & all gasometers which are not in gas works |

Appendix 2: Potentially Contaminative Past Industrial Land Use Categories cont.

| Report Description | Remarks |
|--|---|
| Outfalls | Outfalls including warm water, industrial effluent & sewage unless directly attached to other sewerage feature e.g. end of sewer pipe |
| Paints, varnishes, printing inks, mastics & sealants [manufacture] | Paints, varnishes, printing inks, mastics, sealants & creosote |
| Paper packaging products [manufacture] | Pulp, paper & cardboard manufacture |
| Pipelines | Above ground pipelines other than sewerage |
| Plastic goods, all general manufacture, including building, packaging & tubing | All plastic goods, including building, packages, tubing etc & the manufacture of tar, bitumen & asphalt |
| Printing of newspapers | Printing of newspapers |
| Printing: miscellaneous excluding newspapers | Printing other than news print |
| Pulp, commodity grade paper & paperboard manufacture | Paper, card, etc products e.g. Packaging |
| Quarrying of sand & clay, operation of sand & gravel pits | Extraction of alluvial sediments (sand, stone, clay, peat, marl & gravel) |
| Railways | Railway tracks — up to 4 tracks wide |
| Recycling of metal waste & scrap metal | Recycling of metal waste including scrapyards & car breakers |
| Refuse disposal | Refuse & waste disposal including incinerators & sanitary depot |
| Road haulage | Transport depot — road haulage, corporation |
| Rubber natural products manufacture | Natural & synthetic rubber products including tyres & rubber products |
| Sawmilling, planing & impregnation (i.e. Treatment of timber) | Sawmilling, planning & impregnation (i.e. treatment of timber), wood products, telegraph works, timber yard e.g. veneer |
| Sewage | Sewerage, septic-tanks, includes all filter beds |
| Spirit distilling & compounding | Spirit distilling & compounding |
| Tableware & other ceramics [manufacture] | Tableware & other ceramics |
| Technical & environmental testing & analysis | Various technical & environmental testing & analysis |
| Transport manufacturing & repair | Manufacturing & repair including i) ships, ii) aerospace, iii) rail engines & rolling stock |
| Transport support & cargo handling | Boat building, wharf & quays, cargo/transport handling facilities |
| Transport: air & space, cargo & handling & transport support | Air & space transport |
| Transport: light manufacture | Manufacture of cars, lorries, buses, motorcycles, bicycles |
| Weapons & ammunition [manufacture & storage] | Civilian manufacture & storage of weapons, ammunition, explosives & rockets |

Potentially Infilled Land

| Report Description | Remarks |
|--|--|
| Unknown filled ground (pond, marsh, river, stream, dock etc) | These are water features which were previously mapped but which no longer appear on subsequent and current map editions. |
| Unknown filled ground (pit, quarry etc) | Natural or man-made depression or unspecified pits |

Historical Tanks and Energy Facilities

| Report Description | Remarks |
|-----------------------------------|--|
| Tanks | Tanks, i.e. Fuel Tank, Inspection Tank, Tk. This does not include tanks where the named purpose is not fuel related i.e. Slurry Tank. |
| Potential Tanks | Activities that potentially require a fuel tank on the premises, i.e. Depots and Garages. |
| Petroleum Storage Facilities | Facilities which are likely to hold petroleum i.e. Filling Stations, Petrol Stations and Petroleum Works. |
| Oil Industry Facilities | Facilities used in the oil industry i.e. Oil Depot, Oil and Grease Works, Oil Refinery, not including non petrol-based oils such as Fish Meal and oil works. |
| Gas Industry Facilities | Facilities used in the Gas Industry i.e. Liquid Gas Bottling Plant, Gas Wks |
| Gas Monitoring Facilities | Facilities used to monitor gas production and supply i.e. Gas Governor Station, Gas Valve Compound. |
| Electricity Industry Facilities | Facilities used by the electricity industry i.e. El Gen Sta, Electricity Depot |
| Electrical Sub Station Facilities | Electrical Substations i.e. El Sub Sta, Transmission Sub Station |
| Miscellaneous Power Facilities | Facilities related to power and fuel which were not identified in any other section i.e. Power Station, Fuel Depot. |

Appendix 3: Data Sets used in the Homecheck Professional Environmental Report

| Title | Remarks | Source | Data Type | Data Range | Update Cycle | Section |
|---|---|-----------------------------------|-------------------------|--------------------|----------------|-------------------|
| Aerial Photography | The current available coverage of the imagery is only for England and Wales. The imagery is at a resolution of between 25cm - 50cm. The original scale of the photography was 1:10,000 for the majority of the coverage with certain urban areas taken at a scale of 1:5,000. All images are orthorectified to the Ordnance Survey National Grid and stored in a seamless database. | Getmapping | Raster Mapping | From 2005 | Variable | Aerial Photograph |
| BGS Recorded Landfill Sites | This data set relates to a survey of active landfill sites conducted on behalf of the DoE (DEFRA) in 1973. This data is already geo-coded. The survey includes over 3,000 sites accepting waste prior to the Control of Pollution Act (COPA) 1974, and would therefore not have been subject to any strict regulation or monitoring. Further details which may be available from BGS paper records include outline plans, site descriptions, waste types and tipping histories. | British Geological Survey (BGS) | Point or Polygon & Text | Not Applicable | Not Applicable | A 1.2 |
| Coal Mining Affected Areas | This data set is made up of 1km polygon areas which may be affected by coal mining activity. | Coal Authority | Polygon & Text | Not Applicable | As notified | C 3 |
| Contaminated Land Register Entries and Notices | The contaminated land regulations, enacted in 2000, give effect to relevant sections of the Environmental Protection Act (1990) in regards to contaminated land. There are three sets of regulations that relate to England, Scotland and Wales. They are Contaminated Land (England) Regulations 2000 (SSI 227), Contaminated Land (Scotland) Regulations 2000 (SI 178), and Contaminated Land (Wales) Regulations 2001 (WSI 2197) respectively. There is also statutory guidance that complements the regulations. The regulations give power to define special sites, contaminated land and to remediate any land defined as contaminated as well as exclude and apportion liability for remediation. This data is collated by Landmark and sourced from the local authorities. | Local Authorities | Point or Polygon & Text | From February 2002 | As notified | A 12 |
| Contemporary Trade Directory Entries | This represents a sub-set of the Business Directory complied by Thomson Directories and is geo-coded by Landmark. The data set allows for comprehensive reporting, with over 400 different classifications that are likely to carry out potentially contaminative uses. The status of the site is also disclosed. | Thomson Directories | Point & Text | From 2001 | Quarterly | B 2 |
| Control of Major Accident Hazards Sites (COMAH) | This data is geo-coded by Landmark and relate to sites registered under the Control of Major Accident Hazards (COMAH) Regulations 1999. The Health and Safety Executive in conjunction with the Environment Agency keeps records of those sites, where substances are present or in transit in quantities exceeding thresholds set in the regulations. The duties under these regulations are largely dependent on the type and quantities of substance. Following this rationale, sites are subdivided into top and lower tier sites. Sites storing above the specified amounts of hazardous substances and those carrying out particularly toxic or hazardous activities must provide information to the public on the nature of the hazard and action to be taken in the event of an accident. The regulations mainly apply to chemical and petrochemical industries and to those that produce or use substances with flammable, toxic or explosive properties. This legislation replaces the Control of Industrial Major Accident Hazards (COMAH) Regulations 1984. | Health and Safety Executive (HSE) | Point & Text | From 1999 | Bi-annually | A 8 |

Appendix 3: Data Sets used in the Homecheck Professional Environmental Report

| Title | Remarks | Source | Data Type | Data Range | Update Cycle | Section |
|--|--|-----------------------------|----------------|--|--------------|---------|
| Discharge Consents | <p>For England and Wales, discharge consents are granted with conditions set by the EA under Section 84 (1) of the Water Resources Act 1991. This data is geo-coded by the supplier from 1:10,000 or 1:50,000 mapping.</p> <p>In considering whether or not to grant consents the Environment Agency (EA) has to take into account: whether statutory water quality objectives will be met, likely deterioration in water quality downstream and possible effects on other water uses downstream. Conditions are attached to consents in order to minimise effects. Such conditions may be related to discharge quantity; steps to minimise effects of pollution; sampling facilities and records to be maintained.</p> <p>These consents do not apply to discharges to sewers, since the sewerage undertaker regulates these. In addition, only those records that are supplied with a valid national grid reference are included.</p> | Environment Agency | Point & Text | From 1950 (Dependent upon the area of the country) | Quarterly | A 11 |
| Enforcement and Prohibition Notices | <p>This data set is geo-coded by Landmark and contains any enforcement and prohibition notices relating to IPC authorised processes, which are brought under Section 23 (1) of the Environmental Protection Act (EPA) 1990.</p> <p>If the Environment Agency believes that the conditions of an authorisation have been breached it can serve an enforcement notice on the operator which requires remediation of the situation within a specified time. If the situation involves 'imminent risk of serious pollution of the environment', a prohibition notice may be served, requiring immediate closure of the process. It is an offence to operate a prescribed process without an authorisation, or to contravene conditions of an enforcement notice without reasonable excuse.</p> | Various | Point & Text | From 1990 | As notified | A 13 |
| JBA River Flood Risk 75, 200 and 1000 Year Return periods | <p>This dataset describes the river flood hazard for 75, 200 and 1000 year return periods for England, Wales and most of Scotland. River flooding occurs when rivers overflow and burst their banks, due to high or intense rainfall which flows into them. A return period is the statistical probability of the flood happening in any given year. i.e. a 75 year return period is a 1 in 75 chance. This dataset is produced using Jeremy Benn Associates Ltd. In-house software, JFlow. This is a 2D hydraulic model that is designed specifically to meet the needs of broad-scale modelling. This dataset does not take flood defences into account.</p> | Jeremy Benn Associates Ltd. | Polygon & Text | Not Applicable | Annual | D1.1 |
| JBA Surface water Flood Risk 75, 200 and 1000 Year Return periods | <p>This dataset describes the surface water flood hazard for 75, 200 and 1000 year return periods for England, Wales and selected areas in Scotland (areas where Lidar and Photogrammetry data is available). Surface water flooding results from rainfall-generated overland flow before the runoff enters any watercourse or sewer. It is usually associated with high intensity rainfall events but can also occur with lower intensity rainfall or melting snow where the ground is saturated, frozen, developed or otherwise has low permeability. A return period is the statistical probability of the flood happening in any given year. i.e. a 75 year return period is a 1 in 75 chance. This dataset is produced using Jeremy Benn Associates Ltd. In-house software, JFlow. This is a 2D hydraulic model that is designed specifically to meet the needs of broad-scale modelling. This dataset does not take flood defences into account.</p> | Jeremy Benn Associates Ltd. | Polygon & Text | Not Applicable | Annual | D1.2 |
| JBA Tidal Flood Risk 75, 200 and 1000 Year Return periods | <p>This dataset describes the tidal flood hazard for 75, 200 and 1000 year return periods for England, Wales and most of Scotland. Tidal flooding is due to the inundation of land areas along the coast by sea waters over and above normal tidal action. A return period is the statistical probability of the flood happening in any given year. i.e. a 75 year return period is a 1 in 75 chance. This dataset is produced using TUFLOW and projection modelling. This dataset does not take flood defences into account.</p> | Jeremy Benn Associates Ltd. | Polygon & Text | Not Applicable | Annual | D1.3 |

Appendix 3: Data Sets used in the Homecheck Professional Environmental Report

| Title | Remarks | Source | Data Type | Data Range | Update Cycle | Section |
|---|--|--------------------|-----------------------|----------------|----------------|---------|
| Fuel Station Entries | This data is geo-coded by Landmark and comprises records held on the Catalyst fuel database, which provides the location of petrol stations, diesel stations, hypermarkets etc. throughout Great Britain. The data set includes information on the status of the site, whether it is active, and the brand of petrol sold. | Catalist | Point & Text | From 1997 | Quarterly | B 2 |
| Historical Tanks And Energy Facilities | This data set contains facilities related to petroleum and energy storage including: tanks, petrol storage, potential tanks, electricity sub stations and related features, gas and gas monitoring related features, oil related features and miscellaneous power features. It been captured from post war 1:2500 and 1:1250 Ordnance Survey historical mapping covering a period from 1943 to 1996. | Landmark | Point | From 2003 | Not Applicable | B 1 |
| Historical Landfill Sites | This dataset contains sites that were collated as part of the Environment Agency's (EA) Historical Waste Data Project, to enable the most comprehensive and consistent national dataset of all Agency known historical Landfill sites covering the regions of England and Wales. | Environment Agency | Point, Polygon & Text | Not Applicable | Quarterly | A.1.3 |
| Integrated Pollution Control | This data is geo-coded by Landmark and comprises of records maintained under the EPA (Prescribed Processes and Substances) Regulations 1991, under Integrated Pollution Control (IPC). These regulations were progressively implemented from 1 April 1991 in England and Wales. These are sites where larger, more polluting industries, hold authorisations to emit discharges direct to land, water or air. Applications for authorisation under IPC must consider the full impact of all releases to air, water and land. The Agency incorporates conditions which ensure that the operator uses the Best Available Techniques Not Entailing Excessive Cost (BATNEEC), to minimise or prevent releases of certain substances and to render such substances harmless. Authorised process operators are required to submit an annual emissions report. | Environment Agency | Point & Text | From 1991 | Quarterly | A 4 |
| Integrated Pollution Control Registered Waste Sites | This data is maintained under the EPA (Prescribed Processes and Substances) Regulations 1991, under Integrated Pollution Control (IPC). These regulations were progressively implemented from 1 April 1991 in England and Wales. Landmark extracts and geo-codes data for waste sites regulated under Part 1 of the Environmental Protection Act (EPA) 1990, from those maintained under the Environmental Protection Regulations (Prescribed Processes and Substances) 1991 relating to sites emitting discharges direct to air, water or land. Applications for authorisation under IPC must consider the full impact of all releases to air, water and land. The Agency incorporates conditions, which ensure that the operator uses the Best Available Techniques Not Entailing Excessive Cost (BATNEEC), to minimise or prevent releases of certain substances and to render such substances harmless. Authorised process operators are required to submit an annual emissions report. | Environment Agency | Point & Text | From 1991 | Quarterly | A 4 |
| Integrated Pollution Prevention and Control | This data is geo-coded by Landmark and comprises of records maintained under the Integrated Prevention Pollution and Control Act (1999). This applies to processes once classified as Integrated Pollution Control and Local Authority Air Pollution Control under Part 1 and Part 2 of the Environmental Protection Act (1990) for England and Wales. There are A and B installations which are regulated by the Environment Agency and Local Authorities respectively. The regulations are being progressively introduced, to 2007, depending on the regulated activity. In the case of England and Wales this data is solely sourced from the Environment Agency. | Environment Agency | Point & Text | From May 2001 | Quarterly | A 4 |
| Licensed Waste Management Facilities (Landfill Boundaries) | This data covers consents for landfill sites issued by the Environment Agency under Section 64 of the Environmental Protection Act 1990 (Part 2) and prescribed by Regulation 10 of SI No.1056 the Waste Management Licensing Regulations 1994. The boundaries of these sites are supplied by the EA and currently only relate to active landfill sites. | Environment Agency | Polygon & Text | From 1974 | Quarterly | A 1.2 |

Appendix 3: Data Sets used in the Homecheck Professional Environmental Report

| Title | Remarks | Source | Data Type | Data Range | Update Cycle | Section |
|---|--|-----------------------------------|-------------------------|--------------------|----------------|---------|
| Licensed Waste Management Facilities (Locations) | This data covers consents issued for current or recently current waste management licence by the Environment Agency, under Section 64 of the Environmental Protection Act 1990 (Part 2) and prescribed by Regulation 10 of SI No.1056 the Waste Management Licensing Regulations 1994. Currently, this data is only available for England and Wales. | Environment Agency | Point & Text | From 1974 | Quarterly | A 1.2 |
| Local Authority Integrated Pollution Prevention and Control | This data is collected, collated and geo-coded by Landmark and comprises Local Authority Integrated Pollution Prevention and Control (LA-IPPC) records, maintained under the Pollution Prevention and Control Act 1999. The system of Local Authority Integrated Pollution Prevention and Control (LA-IPPC) applies an integrated environmental approach to the regulation of certain industrial activities (A2 installations). It involves determining the appropriate controls for industry to protect the environment through a single permitting process. This means that emissions to air, water (including discharges to sewer) and land, plus a range of other activities with an environmental impact, must be considered together. IPPC aims to prevent emissions and waste production and where that is not practicable, reduce them to acceptable levels. The Environment Agency regulates the Integrated Pollution Prevention and Control (IPPC) regime, which covers A1 installations. Local authorities regulate the regimes: LA-IPPC (A2 installations) and Local Authority Pollution Prevention and Control (LAPPC) (Part B) installations. Together, the three systems described above will gradually replace the pollution control regime set up under Part 1 of the Environmental Protection Act 1990. This will be completed by the end of 2007. In the case of England and Wales this data is sourced solely from Local Authorities. | Local Authorities | Point & Text | From 2004 | Annually | A 1.4 |
| Local Authority Pollution Prevention and Control | This data is collected, collated and geo-coded by Landmark. The records relate to authorisations granted under the Environmental Protection Act 1990 and permits issued under the Pollution Prevention and Control Act 1999. Processes for which consent is required are specified in the legislation and are separated into Part A and Part B processes. Local Authority Pollution Prevention and Control (LAPPC) are Part B processes. In England and Wales, Local Authorities regulate LAPPC. | Local Authorities | Point & Text | From 1991 | Annually | A 9 |
| Local Authority Pollution Prevention and Control Enforcements | This data is collected, collated and geo-coded by Landmark. The records relate to enforcements that have been served on authorisations granted under the Environmental Protection Act 1990 and permits issued under the Pollution Prevention and Control Act 1999. Processes for which consent is required are specified in the legislation and are separated into Part A and Part B processes. Local Authority Pollution Prevention and Control (LAPPC) are Part B processes. The data is limited to England and Wales, and has been collected from Local Authority public register records since December 2000 where available. | Local Authorities Point & Text | Point & Text | From December 2000 | Annually | A 13 |
| Local Authority Recorded Landfill Sites | This data is sourced from individual Local Authorities that were able to provide information on sites operating prior to the introduction of the Control of Pollution Act (COPA) in 1974. Where these records have been passed by the Local Authority to the appropriate environment Agency the data was not collected from the Local Authority. Prior to the COPA legislation powers to control waste in the interest of public health were the responsibility of individual Local Authorities. This data has been collated and captured by Landmark. | Landmark | Point or Polygon & Text | From 2001 | Not Applicable | A 1.1 |

Appendix 3: Data Sets used in the Homecheck Professional Environmental Report

| Title | Remarks | Source | Data Type | Data Range | Update Cycle | Section |
|--|---|-----------------------------------|-----------------------|------------|----------------|---------|
| Notification of Installations Handling Hazardous Substances (NIHHS) | This data is sites that come under the Notification of Installations Handling Hazardous Substances (NIHHS) Regulations 1982 and are geo-coded by Landmark. These regulations specify dangerous substances and the quantities of these substances trigger obligations to notify the HSE of their use three months before such use commences. The NIHHS Regulations require emergency plans to be kept up to date and regularly tested. The list of notifiable substances is divided into specifically named substances. Notification is required for all sites on land, as well as jetties, piers and other structures in UK inland waters proposing use of such substances. | Health and Safety Executive (HSE) | Point & Text | From 1999 | Not Applicable | A 7 |
| Planning Hazardous Substance Consents | This data is collected, collated and geo-coded by Landmark. The records relate to consents granted under the Planning (Hazardous Substances) Act 1990 as amended, for England and Wales. The regulations require a consent to be granted by the Local Authority for sites where the storage of certain hazardous substances is above the specified or controlled quantity. | Local Authorities | Point & Text | From 1992 | Annually | A 6 |
| Planning Hazardous Substance Enforcements | This data is collected, collated and geo-coded by Landmark. The records relate to consents granted under the Planning (Hazardous Substances) Act 1990 as amended, for England and Wales. If the conditions set in consents are breached, the authority serves an order or enforcement notice on the relevant party. Enforcement notices may reinforce an existing condition or require the operator to remedy the cause of the breach within a specified period. Once the enforcement conditions are met, the authority has powers to withdraw the notice. | Local Authorities | Point & Text | From 1992 | Annually | A 13 |
| Potentially Contaminative Industrial Uses (Past Land Uses) | From historical mapping, dating back to the middle of the 19th century, Landmark's Systematic Analysis has identified areas where, historically, the land uses were potentially contaminative. This is drawn from a series of up to six historic map editions - up to four Ordnance Survey 1:10,560 County Series Maps (usually pre-W.W.II), the first National Grid Black and White raster 1:10,560 map and the last National Grid edition Black and White raster map at 1:10,000 scale. | Landmark | Point, Polygon & Text | From 1850 | Not Applicable | B 1 |
| | | Ordnance Survey | Point, Polygon & Text | From 1850 | Not Applicable | |
| Potentially Infilled Land | From historical mapping dating back to the middle of the 19th century, Landmark's Systematic Analysis Department has identified areas where cavities and areas of water or marsh have potentially been infilled with materials. This is drawn from a series of up to six historic map editions - up to four Ordnance Survey 1:10,560 County Series Maps (usually pre-W.W.II), the first National Grid Black and White raster 1:10,560 map and the last National Grid edition Black and White raster map at 1:10,000 scale. | Landmark | Point, Polygon & Text | From 1850 | Not Applicable | B 1 |
| | | Ordnance Survey | Point, Polygon & Text | From 1850 | Not Applicable | |

Appendix 3: Data Sets used in the Homecheck Professional Environmental Report

| Title | Remarks | Source | Data Type | Data Range | Update Cycle | Section |
|--|--|--|-------------------------|----------------|--------------|---------|
| Prosecutions Relating to Authorised Processes | This data set is geo-coded by Landmark and contains any prosecutions relating to IPC authorised processes, which are brought under Section 23 (1) of the Environmental Protection Act (EPA) 1990. If the conditions of an authorisation have been breached, the Environment Agency or the Scottish Environment Protection Agency can prosecute the operator. It is an offence to operate a prescribed process without an authorisation, or to contravene its conditions. | Various | Point & Text | From 1991 | As notified | A 13 |
| Prosecutions Relating to Controlled Waters | This data set is geo-coded by Landmark and includes actions brought under the provision of the Water Resources Act 1991 | Various | Point & Text | From 1996 | As notified | A 13 |
| Radon Potential | This data set, created jointly by the Health Protection Agency (HPA) and the British Geological Survey (BGS), provides the current definitive map of Radon Affected Areas in England and Wales. Radon is a natural radioactive gas, which enters buildings from the ground. Outdoors, it is diluted to very low levels. However, in some cases the radon level indoors can build up to high concentrations, posing a serious risk to health. The Health Protection Agency recommends that radon levels should be reduced in homes where the annual average is at or above 200 becquerels per cubic metre (200 Bq m ⁻³). This is termed the Action Level. The data set allows an estimate to be made of the probability that an individual property in England and Wales is at or above the Action Level for radon. The Health Protection Agency defines Radon Affected Areas as those with 1% chance or more of a house having a radon concentration at or above the Action Level. The Health Protection Agency recommends that people in Affected Areas should test their homes for radon. The Radon Potential data set also provides information on the level of protection required for new dwellings under BR211 (1999) Radon: guidance on protective measures for new dwellings. Where it is estimated that the radon concentration in 3% or more of homes exceeds the Action Level, basic protective measures need to be installed in new dwellings (and extensions to existing ones). Where it is estimated that the radon concentration in 10% or more of homes exceeds the Action Level, full protective measures need to be installed. Whether or not a home is in fact above or below the Action Level can only be established by having the building tested. | British Geological Survey (BGS) and Health Protection Agency (HPA) | Polygon & Text | Not Applicable | As notified | C2/C3 |
| Registered Landfill Sites | This data is sourced from public registers, which are visited annually. This data covers consents that have been issued by the Environment Agency and the Scottish Environment Protection Agency, under the Control of Pollution Act (COPA) 1974 and Section 36 of the Environmental Protection Act (EPA) 1990. This data relates to open and closed sites, licensed for the landfill of waste. | Landmark | Point or Polygon & Text | From 1976 | Annually | A 1.2 |
| Registered Radioactive Substances | This data set is geo-coded by Landmark and refers to Licences granted under the Radioactive Substances Act (RSA) 1993. This Act controls the storage, use and disposal of radioactive substances, through authorisation and registration systems and provides access to information regarding sites holding such consents. The Act applies to Crown premises, including mobile radioactive apparatus, but does not cover navy, army, air force, or visiting forces or the Secretary of State for Defence. | Environment Agency | Point & Text | From 1991 | Quarterly | A 5 |
| Registered Waste Transfer Sites | This data is sourced from public registers, which are visited annually. This data set covers consents that have been issued by the Environment Agency under the Control of Pollution Act (COPA) 1974 and Section 36 of the Environmental Protection Act (EPA) 1990. This data relates to open and closed sites, licensed for waste transfer. | Landmark | Point or Polygon & Text | From 1976 | Annually | A 2 |

Appendix 3: Data Sets used in the Homecheck Professional Environmental Report

| Title | Remarks | Source | Data Type | Data Range | Update Cycle | Section |
|---|--|---------------------------|-------------------------|------------|--------------|---------|
| Registered Waste Treatment or Disposal Sites | This data is sourced from public registers, which are visited annually. This data set covers consents that have been issued by the Environment Agency under the Control of Pollution Act (COPA) 1974 and Section 36 of the Environmental Protection Act (EPA) 1990. This data set comprises details of open and closed sites, licensed for waste treatment or disposal. | Landmark | Point or Polygon & Text | From 1976 | Annually | A 3 |
| Shallow Mining Hazard | This assessment is based on data produced by the British Geological Survey (BGS) using the latest geological mapping information and interpretation by BGS geologists. Maps of shallow mining hazard are derived from 1:50,000 and 1:250,000 geological maps plus analysis of historical mine plans, enhanced by local geological knowledge built up during detailed geological mapping. This assessment takes into account many types of mining in addition to coal, such as ironstone or limestone extraction. Shallow mining has been defined as workings within 40 metres of the ground surface, and does not include deeper mine workings. Shallow mine workings may have a greater potential for generating ground movement at the surface than deeper workings. Although mining hazard can cause the ground movement, it will not necessarily cause building movement as this depends on the type and age of the building in the area of search. | British Geological Survey | Polygon & Text | From 1994 | Bi-annually | C 2 |
| Substantiated Pollution Incident Register | This data is derived from public register information and related to substantiated pollution incident data that the Agency has deemed closed. The records relate to specific events which have been brought to the attention of the Agency and fall within their responsibility given that they may have an environmental and/or operational impact. Incidents are based on reports from members of the public, emergency services, local authorities, government departments, other regulators, industry, and agency staff. Examples may include reports that may affect land, air, and water, fish kills, illegal abstraction, low river flows, speeding vessels, and flooding. Public register information is provided by regional offices and incidents are supplied ready geo-coded based on 1:10,000 mapping. The system is two tier in nature, looking at environmental protection and water management. Incidents are graded from category 1 (Major Incident) to category 4 (No Impact). An impact category must be assigned for each affected environmental media; air, land, and water. An impact level is assigned to a particular incident but is determined by the maximum severity affecting one of the three media. Currently, this data is only available for England and Wales. | Environment Agency | Point & Text | From 2001 | Quarterly | A 13 |
| Water Industry Act Referrals | The Environment Agency is given powers to regulate some discharges to public sewers or certain dangerous substances under the Water Industry Act 1991 (WIA 91). These powers and the Regulations SI 1156 of 1989 (and amendments) establish the regulatory regime and Schedules of prescribed processes and prescribed substances which are to be controlled - defined under the Act as Special Category Effluents. Water Industry Act Referrals are Special Category Effluents containing particular substances, or deriving from specific processes, discharging to public sewers. Such processes include: any process for the production of chlorinated organic chemicals; any process for the manufacture of asbestos cement, paper or board; any process for the manufacture of paper pulp; any industrial process in which cooling water or effluents are chlorinated. This is not a complete list and does not indicate whether a referral has been given consent or otherwise. | Environment Agency | Point & Text | From 1991 | Quarterly | A 11 |

Appendix 4: The Search Code



IMPORTANT CONSUMER PROTECTION INFORMATION

This search has been produced by Landmark Information Group Ltd, Imperium, Imperium Way, Reading, Berkshire, RG2 0TD. Telephone 0844 844 9966, Fax No. 0844 844 9980 e-mail helpdesk@landmark.co.uk which is registered with the Property Codes Compliance Board (PCCB) as a subscriber to the Search Code. The PCCB independently monitors how registered search firms maintain compliance with the Code.

The Search Code:

- provides protection for homebuyers, sellers, estate agents, conveyancers and mortgage lenders who rely on the information included in property search reports undertaken by subscribers on residential and commercial property within the United Kingdom
- sets out minimum standards which firms compiling and selling search reports have to meet
- promotes the best practice and quality standards within the industry for the benefit of consumers and property professionals
- enables consumers and property professionals to have confidence in firms which subscribe to the code, their products and services

By giving you this information, the search firm is confirming that they keep to the principles of the Code. This provides important protection for you.

The Code's core principles

Firms which subscribe to the Search Code will:

- display the Search Code logo prominently on their search reports
- act with integrity and carry out work with due skill, care and diligence
- at all times maintain adequate and appropriate insurance to protect consumers
- conduct business in an honest, fair and professional manner
- handle complaints speedily and fairly
- ensure that products and services comply with industry registration rules and standards and relevant laws
- monitor their compliance with the Code

COMPLAINTS

If you have a query or complaint about your search, you should raise it directly with the search firm, and if appropriate ask for any complaint to be considered under their formal internal complaints procedure. If you remain dissatisfied with the firm's final response, after your complaint has been formally considered, or if the firm has exceeded the response timescales, you may refer your complaint for consideration under The Property Ombudsman scheme (TPOs). The Ombudsman can award compensation of up to £5,000 to you if he finds that you have suffered actual loss as a result of your search provider failing to keep to the Code.

Please note that all queries or complaints regarding your search should be directed to your search provider in the first instance, not to TPOs or to the PCCB.

TPOs Contact Details:

The Property Ombudsman scheme
Milford House
43-55 Milford Street
Salisbury
Wiltshire SP1 2BP
Tel: 01722 333306
Fax: 01722 332296
Email: admin@tpos.co.uk

You can get more information about the PCCB from www.propertycodes.org.uk.

PLEASE ASK YOUR SEARCH PROVIDER IF YOU WOULD LIKE A COPY OF THE SEARCH CODE

Appendix 4: The Search Code



COMPLAINTS PROCEDURE

If you want to make a complaint, we will:

- acknowledge it within 5 working days of receipt
- normally deal with it fully and provide a final response, in writing, within 20 working days of receipt
- keep you informed by letter, telephone or e-mail, as you prefer, if we need more time
- provide a final response, in writing, at the latest within 40 working days of receipt
- liaise, at your request, with anyone acting formally on your behalf

Complaints should be sent to:

Landmark Information Group Ltd
Imperium
Imperium Way
Reading
Berkshire
RG2 0TD

Telephone: 0844 844 9966

Email: helpdesk@landmark.co.uk

Fax: 0844 844 9980

If you are not satisfied with our final response, or if we exceed the response timescales, you may refer the complaint to The Property Ombudsman scheme (TPOs): Tel: 01722 333306, E-mail: admin@tpos.co.uk.

We will co-operate fully with the Ombudsman during an investigation and comply with his final decision.